

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JULIAN ROYAL,

Plaintiff,

vs.

Civ. No. 13-748 WJ/KK

NOR-LEA HOSPITAL DISTRICT, *et al.*,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Proposed Findings and Recommended Disposition by United States Magistrate Judge Kirtan Khalsa, filed March 4, 2016. (Doc. 75.) The parties have not filed any objections. The failure to make timely objections to the Magistrate Judge's Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *U.S. v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10th Cir. 1996).

IT IS THEREFORE ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 75) is adopted as follows:

1. Defendants' Motion for Summary Judgment (Doc. 33) is **GRANTED** as to Mr. Royal's federal claims and his remaining state law claims are **DISMISSED WITHOUT PREJUDICE**; as such, Defendants' Motion for Summary Judgment as to the state law claims is **DENIED AS MOOT**;

2. Mr. Royal's Motion for Summary Judgment (Doc. 50) is **DENIED**;

3. Mr. Royal's motion for leave to file a second amended complaint, in the form of his Amended Civil Rights Complaint (Doc. 44), is **DENIED**;

4. Defendants' Motion to Strike Plaintiff's Amended Complaint and/or Motion to Amend Complaint (Doc. 45) is **DENIED AS MOOT**; and

5. Mr. Royal's Motion to Vacate Civil Rights Complaint Against Nurse Hart (Doc. 55) is **DENIED AS MOOT**.

IT IS SO ORDERED.



WILLIAM P. JOHNSON
United States District Judge